

CIRCUIT COURTS

Budget Summary							
Fund	2002-03 Base Year Doubled	2003-05 Governor	2003-05 Jt. Finance	2003-05 Legislature	2003-05 Act 33	Act 33 Change Over Base Year Doubled Amount	Percent
GPR	\$148,167,800	\$157,841,300	\$156,955,500	\$156,955,500	\$156,955,500	\$8,787,700	5.9%

FTE Position Summary						
Fund	2002-03 Base	2004-05 Governor	2004-05 Jt. Finance	2004-05 Legislature	2004-05 Act 33	Act 33 Change Over 2002-03 Base
GPR	511.00	511.00	511.00	511.00	511.00	0.00

Budget Change Items

1. STANDARD BUDGET ADJUSTMENTS

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$8,571,200	- \$101,600	\$8,649,600

Governor: Provide \$4,375,600 annually for the following adjustments to the base budget: (a) full funding of continuing salaries and fringe benefits (\$4,324,800 annually); and (b) fifth week of vacation as cash (\$50,800 annually). Full funding of salaries and fringe benefits includes 2000-01 judicial pay plan costs, and 2001-02 and 2002-03 judicial and non-judicial pay plan costs (\$1,494,400 annually).

Joint Finance/Legislature: Delete funding for fifth week of vacation as cash (\$50,800 annually).

2. INCREASE THE FEE FOR COURT SUPPORT SERVICES [LFB Paper 210]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR-REV	\$20,493,300	\$2,108,000	\$22,601,300

Governor: Increase the fee for court support services by 30%, as follows: (a) increase the \$52 court support services fee under current law to \$67.60 for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions in circuit court; (b) increase the \$130 court support services fee under current law to \$169 for certain civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed exceeds \$5,000; and (c) increase the \$39 court support services fee under current law to \$50.70 for certain small claims actions (including counterclaims or cross complaints), civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions, if the party paying the fee seeks the recovery of money and the amount claimed is \$5,000 or less. Specify that the fee increases would first apply to actions commenced on the effective date of the bill. The court support services fee is in addition to other court fees that may apply to these actions. The Governor estimates that the fee increases will generate revenues of \$9,287,700 in 2003-04 and \$11,205,600 in 2004-05, to be deposited to the general fund.

The state provides funding for various programs to offset county court costs, including circuit court support grants, guardian ad litem services grants and funding for the costs of transcripts for eligible indigent defendants. The court support services fee was created in 1993 to offset the cost of these programs to the state. In 2001-02, the court support services fee generated \$28,224,200 in revenue. The administration's summary of the bill indicates that the Governor recommends increasing these fees to assist with funding court operations and to allow the state to increase reimbursement to counties for interpreter services.

Joint Finance/Legislature: Reestimate revenues generated by the court support services fee and establish the fees to whole numbers as follows: (a) increase to \$68 the \$52 fee for certain civil actions and special proceedings, third-party complaints, appeals from municipal court, reviews of administrative decisions or forfeiture actions; (b) increase to \$169 the \$130 fee for certain large claim civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions; and (c) increase to \$51 the \$39 fee for certain small claims actions, civil actions and special proceedings, third-party complaints or certain garnishment or wage earner actions. Total additional revenue would be \$9,137,400 in 2003-04 and \$13,463,900 in 2004-05.

[Act 33 Sections: 2708 thru 2710, and 9308(2)]

3. COURT INTERPRETERS [LFB Paper 211]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$922,300	- \$784,200	\$138,100

Governor: Provide \$357,000 in 2003-04 and \$565,300 in 2004-05 to increase state reimbursement to counties for court interpreter services (foreign language interpreters and interpreters for the hearing impaired). Modify statutory language to specify that a court, in all criminal and civil proceedings, must provide an interpreter for a party or witness who has limited English proficiency, regardless of indigence. Specify that the modification would first apply to actions commenced on the effective date of the bill.

Under current law, the state provides reimbursement to counties for interpreter services for indigent persons in criminal, delinquency, protective, services, Chapter 48 (children's code) and Chapter 51 (alcohol, drug abuse, development disabilities and mental health act) proceedings at the rate of \$40 per hour for certified interpreters and \$30 per hour for qualified interpreters, with base level funding of \$595,000. Funding would be divided as follows: (a) \$59,500 in 2003-04 and \$119,000 in 2004-05 for projected increased use of interpreters under current law; and (b) \$297,500 in 2003-04 and \$446,300 in 2004-05 for the requested statutory change to provide interpreters in civil cases and regardless of indigence. Under the bill, total court interpreter reimbursement funding would be \$952,000 in 2003-04 and \$1,160,300 in 2004-05.

Joint Finance/Legislature: Delete \$297,500 in 2003-04 and \$446,300 in 2004-05 and the provision which would provide interpreters in civil cases and regardless of indigence. Reestimate funding for the current court interpreter reimbursement program by -\$14,600 in 2003-04 and -\$25,800 in 2004-05. Total funding for the program would increase by \$44,900 in 2003-04 and \$93,200 in 2004-05.

4. APPROPRIATION LAPSES AND REESTIMATES [LFB Paper 705]

Governor/Legislature: Specify that the Chief Justice of the Supreme Court, acting as the administrative head of the judicial system, take actions during the 2003-05 fiscal biennium to ensure that from GPR state operations appropriations for the Circuit Courts, Court of Appeals, and Supreme Court, \$750,000 annually is lapsed from sum certain appropriations or is subtracted from expenditure estimates for any other type of appropriation, or both. The adjustment represents 1.1% of the adjusted base budget for state operations of the Circuit Courts, Court of Appeals, and the Supreme Court. (See "Supreme Court.")

[Act 33 Section: 9248(1)]